



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

May 14, 2003

Ms. Jessie Hill Roberson
5A-014, Forrestal Building
U. S. Department of Energy
1000 Independence Avenue, SW
Washington D. C. 20585

Mr. Keith Klein
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, WA 99352

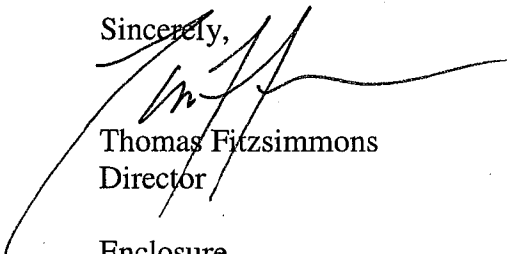
Dear Ms. Roberson and Mr. Klein:

RE: **Corrected** – Compliance with Washington State Department of Ecology Order
No. 3NWPKW-5494

I have noted that the compliance order sent to you on May 13, 2003, reflected a signature date of April 13, 2003. Consequently, I have prepared the attached corrected order.

I apologize for any inconvenience this may have caused you.

Sincerely,



Thomas Fitzsimmons
Director

Enclosure

cc/enclosure:

Roy Schepens, USDOE
Leif Erickson, USDOE
Joe Shorin, WA AGO
Nick Ceto, EPA-X
L. John Iani, EPA-X
Matt McCormick, USDOE-RL

George Sanders, USDOE-RL
Todd Martin, HAB
Gary Burke, CTUIR
Samuel Penney, NPT
Ross Sockzehigh, YN
Ken Niles, OOE



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

IN THE MATTER OF AN)	ORDER NO. 03NWPKW-5531
)	(CORRECTED)
ADMINISTRATIVE ORDER)	STAYING THE EFFECTIVENESS OF
AGAINST:)	PARAGRAPH II.C.ii OF ADMINISTRATIVE
)	ORDER NO. 03NWPKW-5494
United States Department of Energy)	
Richland Operations)	
WA7890008967)	

TO: Ms. Jessie Hill Roberson
5A-014, Forrestal Building
U. S. Department of Energy
1000 Independence Avenue, S. W.
Washington D. C. 20585

Mr. Keith Klein
United States Department of Energy
Richland Operations
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

On April 30, 2003, the Department of Ecology issued Administrative Order No. 03NWPKW-5494 to the United States Department of Energy Richland Operations Office (USDOE). The Order required USDOE to comply with specified provisions of chapter 70.105 Revised Code of Washington (RCW), Washington State's Hazardous Waste Management Act (HWMA), and Chapter 173-303 Washington Administrative Code (WAC), the State's Dangerous Waste Regulations, and by reference, Title 40 Code of Federal Regulations (CFR).

Paragraph II.C.ii. of the April 30, 2003, Order imposed the following requirement with regard to solid wastes generated following issuance of the Order (newly generated waste):

DOE shall immediately stop creating a backlog of untreated mixed waste. DOE shall treat to meet LDR treatment requirements, all newly generated mixed waste containing LDR constituents, in compliance with WAC 173-303-140 and by reference 40 CFR 268.

Pursuant to RCW 34.05.550(1) and RCW 43.21B.320, the Department of Ecology hereby stays the effectiveness of paragraph II.C.ii. of Order 03NWPKW-5494, until June 13, 2003.

This stay shall not affect any other provision of Order 03NWPKW-5494. Nor shall this stay affect the period for appeal of Order 03NWPKW-5494.

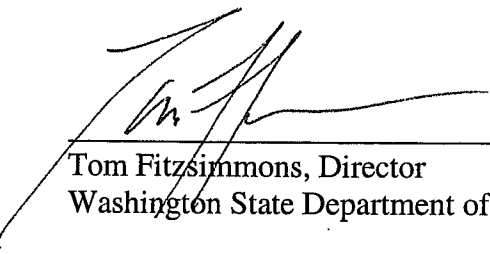
This Order of Stay may be appealed. Your appeal must be filed with within thirty (30) days of your receipt of this Order at the following address:

Washington Pollution Control Hearings Board
P.O. Box 40903
Olympia, Washington 98504-0903

At the same time, your appeal must also be sent to:

Bob Wilson
Department of Ecology
1315 West Fourth Avenue
Kennewick, WA 99336-6018

DATED this 13 day of May, 2003 at Olympia, WA.



Tom Fitzsimmons, Director
Washington State Department of Ecology